

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-24 are rejected under 35 U.S.C. 101 because the claimed invention falls outside of the statutory categories. While claims 1 and 22 define a "method", intrinsic evidence within the specification suggests that the method is drawn to steps performed purely by computer programs (i.e., see abstract) and programs per se is neither a "product" nor a "process" in a statutory sense. The aforementioned intrinsic evidence in the specification suggests that the full scope of the claimed method encompasses nothing more than programs and is therefore non-statutory for that reason.

Claim 25 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. Claim 25, claims the non-statutory subject matter of a software system.

### ***Claim Objections***

2. Claims 23-24 and 31 are objected because multiple dependent claims. Appropriate consideration required for these types of multiple dependent claims. Failure to reconsider may result in rejection under 112 2nd paragraphs due to lack of antecedence basis.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-16, and 25 are rejected under 35 U.S.C.102(b) as being anticipated by Cummings et al. (US Patent 5,406,260).

As to claim 1, Cummings teaches a method for detecting when a device having a protection state removed from a network with one of authorized and unauthorized removal (see title; col. 1, lines 7-11; col. 2, lines 28-31) comprising the steps of: setting the protection state to a predetermined state (col. 2, lines 31-35 - *current loops continuity internally coupled to a protected device*); inserting the device having the set protection state into the network (col. 2, line 65 through col. 3, line 17); detecting a removal of the device from the network (col. 2, lines 35-39; col. 6, lines 15-23); and

Art Unit: 2614

responding by the device detecting a removal in accordance with the protection state of the device whose removal has been detected (col. 5, lines 13-22; col. 6, lines 15-23).

As to claims 2 and 12, Cummings teaches the device is a consumer electronic device (col. 3, line 4 - *personal computers*).

As to claims 3 and 13, Cummings teaches the network in an in-home network (col. 3, lines 1-5 - *personal computer in home*).

As to claims 5, 9, and 15, Cummings teaches on reinsertion of the device into the network, performing setting the protection state and inserting the device into the network (col. 2, lines 31-35 and line 65 through col. 3, line 10).

As to claims 6 and 14, Cummings teaches the predetermined state is one of protected and unprotected (col. 2, lines 28-40 - *protected when current loops coupled to the device and unprotected when current loop uncoupled to the device*).

As to claim 7, Cummings teaches the network is at least one of Bluetooth, Ethernet (col. 3, lines 14-19), Ultra Wide Band and Zigbee.

As to claims 8 and 16, Cummings teaches generating an alarm on the device that detects a removal, if the protection state of the device whose removal has been detected indicates the device is protected; and generating an alert on the device that detects a removal (col. 5, lines 13-16; col. 6, lines 15-23).

As to claims 10-11, Cummings teaches transporting the protection state to one or more other devices in the network (col. 2, line 65 through col. 3, line 19 - *coupling current loops to devices 12a, 12b, 12c, 12d, etc. in network 10*).

Art Unit: 2614

As to claim 25, Cummings teaches the steps of: a settable protection state (col. 2, lines 28-40 - *protected when current loops coupled to the device and unprotected when current loop uncoupled to the device*); sending and receiving messages to and from other devices in the network (col. 3, lines 22-30); an inspection control module (detector / *the network security system 24*) configured to perform at least one of detection of removal of the device itself or any other device from the network (col. 2, lines 36-39; col. 5, lines 13-17; col. 6, lines 15-23), detection of insertion of the device itself or any other device into the network, setting or the protection state, resetting of the protection state, generation of an alarm and an alert, and cessation of an alarm and alert; and output means for outputting the alarm means for outputting the alert if the system needs to generate such an alert (col. 2, lines 39-40; col. 5, lines 13-16; col. 6, lines 15-20).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings et al. (US Patent 5,406,260).

As to claim 4, Cummings teaches a low signal indicates of a current loop discontinuity (col. 5, lines 13-16), and the logic NAND gate detects discontinuities in the

Art Unit: 2614

current loops (col. 6, lines 15-17). Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made that on removal of the device from the network, one would need to decouple current loops from the device or setting the protection state to unprotected and removing the device from the network in order to disable the alarm notification.

6. Claims 17-24, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings et al. (US Patent 5,406,260) in view of Greaves et al. (US Patent 6,185,688).

As to claims 17 and 26, Cummings does not explicitly teach providing a set/reset component for the protection state; and setting the provided protection state by the set/reset component.

Greaves teaches providing a set/reset component for the protection state; and setting the provided protection state by the set/reset component (col. 1, lines 23-29; col. 1, line 66 through col. 2, line 56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Greaves into the teachings of Cummings for the purpose of having a more efficient system with increasing security and inhibiting breach of security.

As to claims 18 and 27, Greaves teaches at least one of a button on the device, a physical key to be inserted in the device, an input received from another device over the network, and a separate configuration device connected via a configuration link,

Art Unit: 2614

wherein the configuration link is not part of the network and is capable of transferring the protection state to be set to the set/reset component (col. 1, lines 43-65).

As to claims 19 and 28, Cummings teaches the physical key is a smartcard (col. 1, lines 54-59).

As to claims 20 and 29, Cummings teaches the configuration device and configuration link is a CE remote control using an infrared link (col. 2, lines 1-9).

As to claims 21 and 30, Cummings teaches the configuration device and configuration link comprise an RF identification tag using a short range RF link (col. 1, lines 47-51).

As to claim 22, Cummings teaches a method for a device for monitoring the protection state of a device in the network to determine when to start and stop an alarm (col. 2, lines 28-40; col. 5, lines 11-17) comprising the steps of: setting the state to an alarm state (col. 2, lines 32-40; col. 5, lines 9-16) and perform the steps of receiving the current protection state of a device in the network (col. col. 2, lines 32-40 - *a low current power signal applied to current loop coupled to protected device*); if the state is a protected state then starting an alarm and setting the state to an alarm alert state (col. 2, lines 32-40 - *when the device is in protected state, detection of removal of the device will activate the alarm, hence the alarm is in alert state*); it would have been obvious to one of ordinary skill in the art that if the device is not protect and if user wants to detecting the device from unauthorized removal from the network, then starting an alert by coupling current loops internally to the device that in turn will set the alarm alert state.

Art Unit: 2614

Cummings does not teach timing out after a predetermined number of attempts; if no time out and if the previous state is an alarm state, stop the alarm and setting the state to the received current protection state.

Greaves teaches timing out after a predetermined number of attempts (col. 2, lines 1-7, and lines 43-56); if no time out and restart process, stop the alarm and setting the state (or restart) to the received current protection state (col. 2, lines 8-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Greaves into the teachings of Cummings in order to have a more efficient system and enhancing security and prevent theft of the property.

Claim 23 is rejected for the same reasons as discussed above with respect to claims 1 and 22.

Claim 24 is rejected for the same reasons as discussed above with respect to claims 16 and 22.

### ***Allowable Subject Matter***

7. Claim 31 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 31, prior arts or record fail to teach, or render obvious, alone or in combination a system for a device connected to a network to detect one of authorized and unauthorized removal of a device from the network comprising the claimed means

Art Unit: 2614

and their components, relationships, and functionalities as specifically recited in claim 31 and independent claims 25 and 22 that claim 31 depends on.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iwamura (US 2002/0108058) teaches anti-theft system for computers and other electronic devices.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Application/Control Number: 10/579,150

Page 10

Art Unit: 2614

/Quynh H Nguyen/

Primary Examiner, Art Unit 2614